	Application No.	Applicant(s)
Notice of Allowability	10/019,198	PROUD ET AL.
	Examiner	Art Unit	
	Samuel W. Liu	1653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *6/12/06*.

2. ☒ The allowed claim(s) is/are *11,12,14,16 and 18*.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date *7/12/06* .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

The amendment filed 6/12/06 which cancels claims 1-10, 13, 17, and amends claims 11-12, 14, 16 and 18 has been entered. The applicants' request (filed 5/2/06) for extension of time of two months has also been entered. Pending claims 11-12, 14-16 and 18 –22 are examined in this Office action.

EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the change and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no latter than payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Laurie L. Hill on June 22, 2006. Applicants agree the Examiner proposed amendment to 11 and cancel claims 15 and 19-22 without prejudice (see below).

Amendments to the claim:

Claims 11, 15 and 19-22 have been amended or deleted as follows. Please replace the previous claims with the claims shown below.

Claim 11 (*Amended*): A therapeutic method of inducing programmed cell death, said method comprising administering to a recipient a peptide of 10-25 amino acids, comprising the sequence: (KR)xxYxxx(F/Q)L(L/M) (SEO ID NO:5), wherein x is any amino acid, a synthetic amino acid or an unnatural amino acid.

Delete claims 15 and 19-22.

Amendments to the specification:

Abstract is amended as follows (in one paragraph):

We claim a therapeutic method of inducing programmed cell death comprising administering to a recipient a peptide of 10-25 amino acids, comprising the sequence: (KR)xxYxxx(F/Q)L(L/M) wherein x is any amino acid.
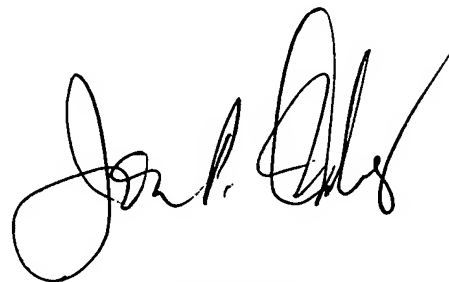
Conclusion: claims 11-12, 14, 16 and 18 are allowed.

Any comments considered necessary by applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Samuel Wei Liu, Ph.D. whose telephone number is (571) 272-0949. The Examiner can normally be reached daily except alternate Fridays from 8:30 A.M. to 5:30 P.M. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Jon Weber, can be reached at (571) 272-0925. The official fax number for Technology Center 1600 is (703) 308-4242. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

Samuel W. Liu, Ph.D.
Art Unit 1653, Examiner
July 14 2006

JON WEBER
SUPERVISORY PATENT EXAMINER

Abstract

We claim a therapeutic method of inducing programmed cell death comprising administering to a recipient a peptide of 10-25 amino acids, comprising the sequence: (KR)xxYxxx(F/Q)L(L/M) wherein x is any amino acid.